

LEGISLATURE OF NEBRASKA
NINETY-NINTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 343
FINAL READING

Introduced by Baker, 44

Read first time January 11, 2005

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to the Nebraska Public Safety Wireless
2 Communication System Act; to amend section 58-202,
3 Reissue Revised Statutes of Nebraska, and sections 86-401
4 to 86-403, 86-416 to 86-418, 86-516, 86-543, and 86-572,
5 Revised Statutes Supplement, 2004; to rename and change
6 and eliminate provisions of the act; to create and
7 eliminate advisory boards; to harmonize provisions; to
8 repeal the original sections; to outright repeal sections
9 86-404 to 86-406, 86-409 to 86-415, and 86-419, Revised
10 Statutes Supplement, 2004; and to declare an emergency.
11 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 58-202, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 58-202. (1) The Legislature hereby finds and declares
4 that:

5 (a) The high cost of agricultural loans and the general
6 unavailability of such loans at favorable rates and terms for
7 farmers, particularly beginning farmers, and other agricultural
8 enterprises have resulted in decreased crop, livestock, and
9 business productivity and prevented farmers and other agricultural
10 enterprises from acquiring modern agricultural equipment and
11 processes. These problems have made it difficult for farmers and
12 other agricultural enterprises to maintain or increase their
13 present number of employees and have decreased the supply of
14 agricultural commodities available to fulfill the needs of the
15 citizens of this state; and

16 (b) There exists in this state an inadequate supply of
17 and a pressing need for farm credit and agricultural loan financing
18 at interest rates and terms which are consistent with the needs of
19 farmers, particularly beginning farmers, and other agricultural
20 enterprises.

21 (2) The Legislature hereby finds and declares that:

22 (a) From time to time the high rates of interest charged
23 by mortgage lenders seriously restrict existing housing transfers
24 and new housing starts and the resultant reduction in residential
25 construction starts causes a condition of substantial unemployment
26 and underemployment in the construction industry;

27 (b) Such conditions generally result in and contribute to
28 the creation of slums and blighted areas in the urban and rural

1 areas of this state and a deterioration of the quality of living
2 conditions within this state and necessitate excessive and
3 disproportionate expenditures of public funds for crime prevention
4 and punishment, public health and safety, fire and accident
5 prevention, and other public services and facilities; and

6 (c) There exists in the urban and rural areas of this
7 state an inadequate supply of and a pressing need for sanitary,
8 safe, and uncrowded housing at prices at which low-income and
9 moderate-income persons, particularly first-time homebuyers, can
10 afford to purchase, construct, or rent and as a result such persons
11 are forced to occupy unsanitary, unsafe, and overcrowded housing.

12 (3) The Legislature hereby finds and declares that:

13 (a) Adequate and reliable energy supplies are a basic
14 necessity of life and sufficient energy supplies are essential to
15 supplying adequate food and shelter;

16 (b) The cost and availability of energy supplies has been
17 and will continue to be a matter of state and national concern;

18 (c) The increasing cost and decreasing availability of
19 energy supplies for purposes of residential heating will limit the
20 ability of many of Nebraska's citizens to provide the basic
21 necessities of life and will result in a deterioration in living
22 conditions and a threat to the health and welfare of the citizens
23 of this state;

24 (d) Energy conservation through building modifications
25 including, but not limited to, insulation, weatherization, and the
26 installation of alternative energy devices has been shown to be a
27 prudent means of reducing energy consumption costs and the need for
28 additional costly facilities to produce and supply energy;

1 (e) Because of the high cost of available capital, the
2 purchase of energy conservation devices is not possible for many
3 Nebraskans. The prohibitively high interest rates for private
4 capital create a situation in which the necessary capital cannot be
5 obtained solely from private enterprise sources and there is a need
6 for the stimulation of investment of private capital, thereby
7 encouraging the purchase of energy conservation devices and energy
8 conserving building modifications;

9 (f) The increased cost per capita of supplying adequate
10 life-sustaining energy needs has reduced the amount of funds, both
11 public and private, available for providing other necessities of
12 life, including food, health care, and safe, sanitary housing; and

13 (g) The continuing purchase of energy supplies results in
14 the transfer of ever-increasing amounts of capital to out-of-state
15 energy suppliers.

16 (4) The Legislature hereby finds and declares that:

17 (a) There exist within this state unemployment and
18 underemployment especially in areas of basic economic activity,
19 caused by economic decline and need for diversification of the
20 economic base, needlessly increasing public expenditures for
21 unemployment compensation and welfare, decreasing the tax base,
22 reducing tax revenue, and resulting in economic and social
23 liabilities to the entire state;

24 (b) Such unemployment and underemployment cause areas of
25 the state to deteriorate and become substandard and blighted and
26 such conditions result in making such areas economic or social
27 liabilities harmful to the economic and social well-being of the
28 entire state and the communities in which they exist, needlessly

1 increasing public expenditures, imposing onerous state and
2 municipal burdens, decreasing the tax base, reducing tax revenue,
3 substantially impairing or arresting the sound growth of the state
4 and the municipalities, depreciating general state and
5 community-wide values, and contributing to the spread of disease
6 and crime which necessitate excessive and disproportionate
7 expenditures of public funds for the preservation of the public
8 health and safety, for crime prevention, correction, prosecution,
9 and punishment, for the treatment of juvenile delinquency, for the
10 maintenance of adequate police, fire, and accident protection, and
11 for other public services and facilities;

12 (c) There exist within this state conditions resulting
13 from the concentration of population of various counties, cities,
14 and villages which require the construction, maintenance, and
15 operation of adequate hospital and nursing facilities for the care
16 of the public health. Since these conditions cannot be remedied by
17 the ordinary operations of private enterprises and since provision
18 of adequate hospital, nursing, and medical care is a public use, it
19 is in the public interest that adequate hospital and medical
20 facilities and care be provided in order to care for and protect
21 the public health and welfare;

22 (d) Creation of basic economic jobs in the private sector
23 and the promotion of health and welfare by the means provided under
24 the Nebraska Investment Finance Authority Act and the resulting
25 reduction of needless public expenditures, expansion of the tax
26 base, provision of hospitals and health care and related
27 facilities, and increase of tax revenue are needed within this
28 state; and

1 (e) Stimulation of economic development throughout the
2 state and the provision of health care at affordable prices are
3 matters of state policy, public interest, and statewide concern and
4 within the powers and authority inherent in and reserved to the
5 state in order that the state and its municipalities shall not
6 continue to be endangered by areas which consume an excessive
7 proportion of their revenue, in order that the economic base of the
8 state may be broadened and stabilized thereby providing jobs and
9 necessary tax base, and in order that adequate health care services
10 be provided to all residents of this state.

11 (5) The Legislature hereby finds and declares that:

12 (a) There is a need within this state for financing to
13 assist municipalities, as defined in section 81-15,149, in
14 providing wastewater treatment facilities and safe drinking water
15 facilities. The federal funding provided for wastewater treatment
16 facilities is extremely limited while the need to provide and
17 improve wastewater treatment facilities and safe drinking water
18 facilities is great;

19 (b) The construction, development, rehabilitation, and
20 improvement of modern and efficient sewer systems and wastewater
21 treatment facilities are essential to protecting and improving the
22 state's water quality, the provision of adequate wastewater
23 treatment facilities and safe drinking water facilities is
24 essential to economic growth and development, and new sources of
25 financing for such projects are needed;

26 (c) The federal government has acted to end the system of
27 federal construction grants for clean water projects and has
28 instead provided for capitalization grants to capitalize state

1 revolving funds for wastewater treatment projects and will soon
2 expand that to include safe drinking water facilities, and the
3 state has created or is expected to create appropriate funds or
4 accounts for such purpose. The state is required or expected to be
5 required to provide matching funds for deposit into such funds or
6 accounts, and there is a need for financing in excess of the amount
7 which can be provided by the federal money and the state match; and

8 (d) Additional assistance can be provided to
9 municipalities as defined in section 81-15,149 to alleviate the
10 problems of water pollution or the provision of safe drinking water
11 by providing for the issuance of revenue bonds, the proceeds of
12 which shall be deposited into the Wastewater Treatment Facilities
13 Construction Loan Fund or the comparable state fund to finance safe
14 drinking water facilities. Nothing in this section shall prohibit
15 the provision of loans, including loans made pursuant to the
16 Conservation Corporation Act, to a municipality as defined in
17 section 81-15,149 for the construction, development,
18 rehabilitation, operation, maintenance, and improvement of
19 wastewater treatment facilities or safe drinking water facilities.

20 (6) The Legislature hereby finds and declares that:

21 (a) There is a need within this state for financing to
22 assist public school boards and school districts and private
23 for-profit or not-for-profit schools in connection with removal of
24 materials determined to be hazardous to the health and well-being
25 of the residents of the state and the reduction or elimination of
26 accessibility barriers and that the federal funding provided for
27 such projects is extremely limited and the need and requirement to
28 remove such materials and to reduce or eliminate accessibility

1 barriers from school buildings is great;

2 (b) The financing of the removal of such environmental
3 hazards and the reduction or elimination of accessibility barriers
4 is essential to protecting and improving the facilities in the
5 state which provide educational benefits and services;

6 (c) The federal government has directed schools to remove
7 such hazardous materials and to reduce or eliminate accessibility
8 barriers; and

9 (d) The problems enumerated in this subsection cannot be
10 remedied through the operation of private enterprise or individual
11 communities or both but may be alleviated through the assistance of
12 the authority to encourage the investment of private capital and
13 assist in the financing of the removal of environmental hazards and
14 the reduction or elimination of accessibility barriers in
15 educational facilities in this state in order to provide for a
16 clean, safe, and accessible environment to protect the health and
17 welfare of the citizens and residents of this state.

18 (7) The Legislature hereby finds and declares that:

19 (a) The rapidly rising volume of waste deposited by
20 society threatens the capacity of existing and future landfills.
21 The nature of waste disposal means that unknown quantities of
22 potentially toxic and hazardous materials are being buried and pose
23 a constant threat to the ground water supply. In addition, the
24 nature of the waste and the disposal methods utilized allow the
25 waste to remain basically inert for decades, if not centuries,
26 without decomposition;

27 (b) Wastes filling Nebraska's landfills may at best
28 represent a potential resource, but without proper management

1 wastes are hazards to the environment and to the public health and
2 welfare;

3 (c) The growing concern with ground water protection and
4 the desire to avoid financial risks inherent in ground water
5 contamination have caused many smaller landfills to close in favor
6 of using higher-volume facilities. Larger operations allow for
7 better ground water protection at a relatively lower and more
8 manageable cost;

9 (d) The reduction of solid waste at the source and the
10 recycling of reusable waste materials will reduce the flow of waste
11 to landfills and increase the supply of reusable materials for the
12 use of the public;

13 (e) There is a need within this state for financing to
14 assist counties, cities, villages, entities created under the
15 Interlocal Cooperation Act and the Joint Public Agency Act, and
16 private persons with the construction and operation of new solid
17 waste disposal areas or facilities and with the closure,
18 monitoring, and remediation of existing solid waste disposal areas
19 and facilities;

20 (f) Financing the construction and operation of new solid
21 waste disposal areas and facilities and financing the closure,
22 monitoring, and remediation of existing and former solid waste
23 disposal areas and facilities in the state is essential to protect
24 the environment and the public health and welfare;

25 (g) The federal government has directed that effective
26 October 1, 1993, all solid waste disposal areas and facilities
27 shall be upgraded to meet stringent siting, design, construction,
28 operation, closure, monitoring, and remediation requirements; and

1 (h) The problems enumerated in this subsection cannot be
2 remedied through the operation of private enterprise or individual
3 communities or both but may be alleviated through the assistance of
4 the authority to encourage the investment of private capital and to
5 assist in the financing of solid waste disposal areas and
6 facilities and in the removal of environmental hazards in solid
7 waste disposal areas and facilities in this state in order to
8 provide for a clean environment to protect the health and welfare
9 of the citizens and residents of this state.

10 (8) The Legislature hereby finds and declares that:

11 (a) During emergencies the resources of political
12 subdivisions must be effectively directed and coordinated to public
13 safety agencies to save lives, to protect property, and to meet the
14 needs of citizens;

15 (b) There exists a need for public safety communication
16 systems for use by Nebraska's public safety agencies as defined in
17 the Nebraska Public Safety ~~Wireless~~ Communication System Act;

18 (c) Investment in the public safety communication
19 infrastructure is required to ensure the effectiveness of such
20 public safety agencies. Since the maintenance of public safety is
21 a paramount concern but the cost of purchasing and operating
22 multiple communication infrastructures is prohibitive, it is
23 imperative that political subdivisions cooperate in their efforts
24 to obtain real and personal property to establish, operate,
25 maintain, and manage public safety communication systems; and

26 (d) There is a need within this state for financing to
27 assist political subdivisions and any entities created under the
28 Interlocal Cooperation Act and the Joint Public Agency Act with the

1 acquisition, construction, and operation of real and personal
2 property of public safety communication systems.

3 Sec. 2. Section 86-401, Revised Statutes Supplement,
4 2004, is amended to read:

5 86-401. Sections 86-401 to ~~86-419~~ 86-418 and section 8
6 of this act shall be known and may be cited as the Nebraska Public
7 Safety ~~Wireless~~ Communication System Act.

8 Sec. 3. Section 86-402, Revised Statutes Supplement,
9 2004, is amended to read:

10 86-402. The Legislature finds that:

11 (1) During emergencies the resources of the state and its
12 political subdivisions must be effectively directed to save lives,
13 to protect property, and to meet the needs of its citizens;

14 (2) Public safety agencies fulfill this unique and
15 essential role;

16 (3) Public safety agencies are only as effective as their
17 ability to communicate. To adequately ensure public safety, such
18 agencies require an efficient, reliable communication ~~system~~
19 systems which ~~accounts~~ account for their unique role and the
20 specialized needs that accompany such role;

21 (4) ~~Present~~ There are presently radio communication
22 systems used by public safety agencies during daily operations and
23 emergencies that are deficient. Many of Nebraska's systems ~~are~~
24 ~~based on outdated technologies,~~ rely on inadequate equipment, are
25 susceptible to communication interference, have limited coverage
26 areas, operate under the constraints of a limited number of radio
27 frequency channels, and lack coordination and the ability to
28 interoperate among city, county, and other local users, state

1 users, and federal users. Additionally, such systems presently do
2 not allow for secure transmissions which are necessary for the
3 protection and integrity of public safety communications;

4 (5) Recent changes and advances in communication
5 technology, ~~including wireless communication,~~ would increase the
6 capability of public safety agencies to provide efficient and
7 effective public safety services;

8 (6) Investment in the public safety communication
9 infrastructure is required to ensure the effectiveness of
10 Nebraska's public safety agencies; ~~- Since the maintenance of~~
11 ~~public safety is a paramount concern but the cost of purchasing and~~
12 ~~operating multiple communication infrastructures is prohibitive, it~~
13 ~~is imperative that local and state public safety agencies cooperate~~
14 ~~in their efforts to obtain a single statewide seamless~~
15 ~~communication system, and~~

16 (7) Regional approaches to communications planning and
17 preparedness and the adoption of regional response structures
18 should be used to develop and sustain interoperable communications.
19 Local and state public safety agencies shall develop a
20 comprehensive interoperable communications plan before receiving
21 any state or federal funding to build, upgrade, enhance, or replace
22 communication systems; and

23 (8) A statewide seamless communication system network of
24 regional communication systems should balance the need for multiple
25 simultaneous users while maintaining autonomy for the internal use
26 of individual agencies. The objectives of such a system network
27 should include maximizing resources and reducing duplication among
28 public safety agencies as well as encouraging cooperation,

1 coordination, consolidation, sharing, and partnerships between
2 public agencies and private entities.

3 Sec. 4. Section 86-403, Revised Statutes Supplement,
4 2004, is amended to read:

5 86-403. For purposes of the Nebraska Public Safety
6 ~~Wireless~~ Communication System Act, the definitions found in
7 sections ~~86-404 to 86-409~~ 86-407 and 86-408 apply.

8 Sec. 5. Section 86-416, Revised Statutes Supplement,
9 2004, is amended to read:

10 86-416. (1) Notwithstanding any other provision of
11 Nebraska law, any city, county, village, public power district, or
12 fire protection district may enter into a service agreement with
13 any joint entity created pursuant to the Interlocal Cooperation Act
14 or any joint public agency created pursuant to the Joint Public
15 Agency Act which owns or operates or proposes to own or operate any
16 public safety communication project for obtaining communication
17 services, including the use or right to use real or personal
18 property included in any such project. This subsection shall not
19 be construed to authorize any service agreements that conflict with
20 the provisions for the sale or lease of dark fiber pursuant to
21 sections 86-574 to 86-578.

22 (2) Any such service agreement may provide for the
23 following:

24 (a) The payment of fixed or variable periodic amounts for
25 service or the right to obtain service, including the use or right
26 to use real or personal property;

27 (b) That such service agreement may extend for a term of
28 years as determined by the governing body of the city, county,

1 village, public power district, or fire protection district and be
2 binding upon such city, county, village, public power district, or
3 fire protection district over such term of years;

4 (c) That fixed or variable periodic amounts payable may
5 be determined based upon any of the following factors:

6 (i) Operating, maintenance, and management expenses,
7 including renewals and replacements for facilities and equipment;

8 (ii) Amounts payable with respect to debt service on
9 bonds or other obligations, including margins of coverage if deemed
10 appropriate; and

11 (iii) Amounts necessary to build or maintain operating
12 reserves, capital reserves, and debt service reserves;

13 (d) That any such service agreement may require payment
14 to be made in the agreed fixed or variable periodic amounts
15 irrespective of whether such public safety communication project or
16 ~~statewide seamless wireless~~ regional communication system is
17 completed or operational and notwithstanding any suspension,
18 interruption, interference, reduction, or curtailment of the
19 services of such project or system; and

20 (e) Such other provisions as the parties to the service
21 agreement deem appropriate in connection with providing and
22 obtaining public safety communication service, including the
23 acquisition of real and personal property, the construction of
24 facilities, and the operation, maintenance, and management of
25 services, property, and facilities.

26 (3) In order to provide for the payments due under such
27 service agreement:

28 (a) Any city, county, village, or fire protection

1 district may provide that payments may be made from a special tax
2 levied for such purpose upon all taxable property within such city,
3 county, village, or fire protection district, if determined
4 appropriate by the governing body by a vote of three-fourths of the
5 members of the governing body, if there are four or more members of
6 such body, or by a vote of two-thirds of the members of the
7 governing body, if there are less than four members of such body.
8 The special tax shall for all purposes of Nebraska law, including
9 limitations upon tax levies, budgets, revenue, and expenditures of
10 public funds, have the same status as a tax levied for the purpose
11 of paying the bonded indebtedness of such city, county, village, or
12 fire protection district; and

13 (b) Any public power district may pledge the revenue of
14 the district, subject to any existing pledges made for bonded
15 indebtedness or borrowings from the United States or any other
16 party and existing conditions relating to issuance of additional
17 bonds or other indebtedness, and, if deemed appropriate by the
18 governing body, the service agreement may have the status of
19 revenue bond indebtedness issued pursuant to sections 70-631 to
20 70-635.

21 Sec. 6. Section 86-417, Revised Statutes Supplement,
22 2004, is amended to read:

23 86-417. The Public Safety Communications Fund is
24 created. The fund shall be administered by the division and shall
25 consist of such money as appropriated by the Legislature. No
26 General Funds shall be appropriated to the Public Safety
27 Communications Fund until legislation has been passed identifying
28 the share of the costs to be paid by the State of Nebraska and

1 specifically authorizing the transfer of funds. The Public Safety
2 Communications Fund shall be used for any costs and payments to be
3 made by the State of Nebraska pursuant to the Nebraska Public
4 Safety ~~Wireless~~ Communication System Act. Any money in the fund
5 available for investment shall be invested by the state investment
6 officer pursuant to the Nebraska Capital Expansion Act and the
7 Nebraska State Funds Investment Act.

8 Sec. 7. Section 86-418, Revised Statutes Supplement,
9 2004, is amended to read:

10 86-418. The division shall develop and adopt technical
11 and operational standards for any communication system acquired,
12 developed, constructed, or replaced by any state agency or any
13 city, county, village, public power district, fire protection
14 district, or other political subdivision, including joint entities
15 and joint public agencies created pursuant to the Interlocal
16 Cooperation Act or Joint Public Agency Act. The ~~board with the~~
17 division shall develop incentives to encourage regional cooperation
18 in public safety communication throughout the state. The ~~board~~
19 division shall assist local communities and public safety agencies
20 which desire to connect with ~~the system~~ a network of regional
21 communication systems. Incentive alternatives may include
22 financial incentives to encourage migration by communities to the
23 ~~system network~~ and to reward communities which coordinate efforts
24 to form public safety communication centers. Such incentives shall
25 not mandate migration by public safety agencies to the ~~system~~
26 network.

27 Sec. 8. (1) The Regional Interoperability Advisory Board
28 is created. The board shall provide advice to the division

1 regarding the formation, expansion, and enhancement of regional
2 communication systems to achieve interoperability. For
3 administrative and budgetary purposes, the board shall be within
4 the division. The division shall provide office space, equipment,
5 technical assistance, and staff support for the board.

6 (2) The advisory board shall consist of the following
7 members, all of whom shall be individuals with knowledge of the
8 communications needs of their represented constituency:

9 (a) A representative of the division;

10 (b) A representative of the Nebraska Emergency Management
11 Agency; and

12 (c) Four representatives of regional communication
13 systems.

14 (3) The members of the advisory board shall be appointed
15 by the Governor. Each member's term shall be for two years from
16 the date of appointment. Members shall be reimbursed from the
17 Public Safety Communications Fund for their actual and necessary
18 expenses incurred in the performance of their duties as provided in
19 sections 81-1174 to 81-1177.

20 (4) The advisory board shall terminate on January 1,
21 2009.

22 Sec. 9. Section 86-516, Revised Statutes Supplement,
23 2004, is amended to read:

24 86-516. The commission shall:

25 (1) Annually by July 1, adopt policies and procedures
26 used to develop, review, and annually update a statewide technology
27 plan;

28 (2) Create an information technology clearinghouse to

1 identify and share best practices and new developments, as well as
2 identify existing problems and deficiencies;

3 (3) Review and adopt policies to provide incentives for
4 investments in information technology infrastructure services;

5 (4) Determine a broad strategy and objectives for
6 developing and sustaining information technology development in
7 Nebraska, including long-range funding strategies, research and
8 development investment, support and maintenance requirements, and
9 system usage and assessment guidelines;

10 (5) Adopt guidelines regarding project planning and
11 management, information sharing, and administrative and technical
12 review procedures involving state-owned or state-supported
13 technology and infrastructure. Governmental entities, state
14 agencies, and political subdivisions shall submit projects which
15 directly utilize state-appropriated funds for information
16 technology purposes to the process established by sections 86-512
17 to 86-524. Governmental entities and political subdivisions may
18 submit other projects involving information technology to the
19 commission for comment, review, and recommendations;

20 (6) Adopt minimum technical standards, guidelines, and
21 architectures upon recommendation by the technical panel;

22 (7) Establish ad hoc technical advisory groups to study
23 and make recommendations on specific topics, including work groups
24 to establish, coordinate, and prioritize needs for education, local
25 communities, and state agencies;

26 (8) By November 15 of each even-numbered year, make
27 recommendations on technology investments to the Governor and the
28 Legislature, including a prioritized list of projects, reviewed by

1 the technical panel, for which new or additional funding is
2 requested;

3 (9) Approve grants from the Community Technology Fund and
4 Government Technology Collaboration Fund; and

5 (10) Adopt schedules and procedures for reporting needs,
6 priorities, and recommended projects. + ~~and~~

7 ~~(11) Provide assistance upon request to the Public Safety~~
8 ~~Wireless Communication Advisory Board.~~

9 Sec. 10. Section 86-543, Revised Statutes Supplement,
10 2004, is amended to read:

11 86-543. (1) The council shall:

12 (a) Develop and publish one-year and five-year plans,
13 specifications, and recommendations for the data processing needs
14 of the state and for a network to provide for intergovernmental
15 transfer of data;

16 (b) Seek to eliminate duplication of effort through
17 coordination of related projects;

18 (c) Promote flexibility in the collection, use, and
19 exchange of information in anticipation of future needs of the
20 state and its political subdivisions;

21 (d) Identify and recommend data processing applications
22 in anticipation of the future needs of state and local governments;

23 (e) Promote intergovernmental exchanges of data and
24 technical expertise;

25 (f) Report to, assist, and advise the Chief Information
26 Officer in setting information technology policy; and

27 (g) Provide assistance as requested by the Nebraska
28 Information Technology Commission to support the technical panel

1 created in section 86-521. + and

2 ~~(h) Provide assistance upon request to the Public Safety~~
3 ~~Wireless Communication Advisory Board.~~

4 (2) The council may study and make recommendations,
5 including a cost-benefit analysis, concerning:

6 (a) State projects which involve intergovernmental
7 transfer of information in an electronic medium or
8 multijurisdictional data processing projects; and

9 (b) A local project only if the request for assistance
10 comes from the governmental subdivisions involved in the project.

11 Sec. 11. Section 86-572, Revised Statutes Supplement,
12 2004, is amended to read:

13 86-572. The Geographic Information System Steering
14 Committee shall:

15 (1) Make recommendations to the Legislature for program
16 initiatives and funding;

17 (2) Establish guidelines and policies for statewide
18 Geographic Information System operations and management to include:

19 (a) The acquisition, development, maintenance, quality
20 assurance such as quality control standards, access, ownership,
21 cost recovery, and priorities of data bases;

22 (b) The compatibility, acquisition, and communications of
23 hardware and software;

24 (c) The assessment of needs, identification of scope,
25 setting of standards, and determination of an appropriate
26 enforcement mechanism;

27 (d) The fostering of training programs and promoting
28 education and information about the Geographic Information System;

1 and

2 (e) The promoting of the Geographic Information System
3 development in the State of Nebraska and providing or coordinating
4 additional support to address Geographic Information System issues
5 as such issues arise;

6 (3) Report to, assist, and advise the Chief Information
7 Officer in setting information technology policy; and

8 (4) Provide assistance as requested by the Nebraska
9 Information Technology Commission to support the technical panel
10 created in section 86-521. + and

11 ~~(5) Provide assistance upon request to the Public Safety~~
12 ~~Wireless Communication Advisory Board.~~

13 Sec. 12. Original section 58-202, Reissue Revised
14 Statutes of Nebraska, and sections 86-401 to 86-403, 86-416 to
15 86-418, 86-516, 86-543, and 86-572, Revised Statutes Supplement,
16 2004, are repealed.

17 Sec. 13. The following sections are outright repealed:
18 Sections 86-404 to 86-406, 86-409 to 86-415, and 86-419, Revised
19 Statutes Supplement, 2004.

20 Sec. 14. Since an emergency exists, this act takes
21 effect when passed and approved according to law.